UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,328	10/31/2003	Edward Alan Clark	LUC-434/Clark 11	9806

47382   7590   06/18/2007
CARMEN B. PATTI & ASSOCIATES, LLC
ONE NORTH LASALLE STREET
44TH FLOOR
CHICAGO, IL 60602

EXAMINER
SHIN, KYUNG H

ART UNIT	PAPER NUMBER
2143	

MAIL DATE	DELIVERY MODE
06/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _02 April 2007_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-21_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-21_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _31 October 2003_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This action is responding to application amendment filed on **4-2-2007**. This

action is **Non-Final** due to 35 USC § 101 issue of specification. Claims **1 - 21** are

pending. Claim **1, 17, 20** are independent.   Amended claims are **1, 7, 9 – 17, 19 and**

20. Claim **21** is new.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 20 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Claim 20 is not limited to tangible

embodiments (e.g., a computer-readable medium stores computer executable

instructions for performing steps.)   In view of Applicant's disclosure in

specification paragraphs 0058 in Pre-Grant Publication documentation US

2005/0094790, the medium is not limited to tangible embodiments, instead the

specification is defined as including both tangible embodiments (e.g., computer

system with a computer program that, when being loaded and executed) and

intangible embodiments (e.g., embedded in a computer program product on

signal-bearing medium and **carrier signal**). As such, the claim is not limited to

statutory subject matter and is therefore non-statutory.

Examiner recommends to *revise the specification* (e.g., examples of computer readable media include recordable-type media, such as a floppy disk, a hard disk drive, a RAM, CD-ROMs, DVD-ROMS..., and remove **signal-bearing medium** and **carrier signal**) in order to explicitly provide evidence of *tangible* embodiments for the computer program product stored on a computer readable medium.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 505 (Fig. 5), 605 (Fig. 6), 702 (Fig. 7). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: The abstract

contains less than 50 words. Appropriate correction is required.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. See MPEP § 608.01(b).

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Response to Arguments

5.   Applicant's arguments filed 4-2-2007 have been fully considered but they are not

persuasive.

    5.1   Applicant argues that the referenced prior art does not disclose, *" ... wherein*

        the one or more application server components establish the one or more data

        streams via employment of a) one or more data stream request messages and

        b) one or more identifiers which distinguish call associated with the one or more

        application server components. ... ". (see Remarks Pages 9, 10)

        The Savage prior art discloses the capability for a data stream initiated by the

        usage of a user request message. (see Savage paragraph [0017], lines 8-14:

        client requests (i.e. user inputs); paragraph [0049],)   The client initiates the

        setup of a data stream by the usage of a request message.   And, the Savage

        prior art discloses the attachment of an identifier for a data stream being

        processed by an application server. (see Savage paragraph [0091], lines 6-15:

        stream, identifier: paragraph [0050] as identifier within parameter)

    5.2   The examiner has considered the applicant's remarks concerning a system

        consisting of application server(s) that transmit user inputs from one or more

        telephony devices through the usage data streams associated with the call.

        Applicant's arguments have thus been fully analyzed and considered but they

        are not persuasive.

After an additional analysis of the applicant's invention, remarks, and a search

of the available prior art, it was determined that the current set of prior art

consisting of Savage (20010009014) and Cloutier (20040015405) discloses the

applicant's invention including disclosures in Remarks dated April 2, 2007.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claim **1 - 6, 8 - 14, 17 - 20** are rejected under 35 U.S.C. 102(e) as being

anticipated by **Savage, III et al.** (US PGPUB No. **20020009014**).

Regarding Claim 1, Savage discloses an apparatus, comprising:

1)   one or more application server components that transmit one or more user inputs to

one or more telephony devices on a call through employment of one or more data

streams associated with the call. (see Savage paragraph [0017], lines 1-6; multiple

servers, multiple clients (i.e. telephony devices); paragraph [0108], lines 5-9:

telephony devices (i.e. electronic transmission of voice, RTP); paragraph [0017],

lines 8-14: client requests (i.e. user inputs); paragraph [0019], lines 8-15; paragraph

[0089], lines 1-6; paragraph [0052], lines 1-7: data transmissions between multiple

clients (i.e. telephony devices) utilizing servers, conference communications)

2) wherein the one or more application server components establish the one or more

    data streams via employment of

        a) one or more data stream request messages (see Savage paragraph [0017],

           lines 8-14:   client requests (i.e. user inputs); paragraph [0049],) and

        b) one or more identifiers which distinguish calls associated with one or more

           application server components (see Savage paragraph [0091], lines 6-15:

           stream, identifier: paragraph [0050] as identifier within parameter)

Regarding Claim 2, Savage discloses the apparatus of claim 1, wherein the one or

more application server components (see Savage Figure 1; paragraph [0017], lines 1-6:

server(s), facilitate communications between clients) cooperate with the one or more

telephony devices to establish one or more web portals that are employable by the one

or more telephony devices to initiate the one or more user inputs. (see Savage

paragraph [0011], lines 4-9; paragraph [0005], lines 1-5: web portals interface,

paragraph [0023], lines 1-6: user interface (i.e. at web portal) for client (i.e. user) inputs)

Regarding Claim 3, Savage discloses the apparatus of claim 2, wherein the one or

more application server components (see Figure 1; paragraph [0017], lines 1-6:

server(s), facilitate communications between clients) employ the one or more web

portals to receive the one or more user inputs from the one or more telephony devices.

(see Savage paragraph [0011], lines 1-9; paragraph [0005], lines 1-5: web portals, real-

time communications between clients; paragraph [0019], lines 8-15; paragraph [0089],

lines 4-6: user inputs transferred between clients (i.e. telephony devices))

Regarding Claim 4, Savage discloses the apparatus of claim 2, wherein the one or

more application server components (see Figure 1; paragraph [0017], lines 1-6:

server(s), facilitate communications between clients) associate the one or more web

portals with the one or more data streams. (see Savage paragraph [0011], lines 1-9:

web portal, real-time communications among multiple clients; paragraph [0019], lines 8-

15; paragraph [0089], lines 4-6: server(s) control communications (i.e. data streams)

between clients)

Regarding Claim 5, Savage discloses the apparatus of claim 2, wherein the one or

more application server components (see Figure 1; paragraph [0017], lines 1-6:

server(s), facilitate communications between clients) provide one or more interfaces

through employment of the one or more web portals for employment by the one or more

telephony devices to initiate the one or more user inputs. (see Savage paragraph

[0017], lines 8-14; paragraph [0022], lines 1-11: setup of data streams between two

clients)

Regarding Claim 6, Savage discloses the apparatus of claim 2, wherein the one or

more application server components (see Figure 1; paragraph [0019], lines 1-4:

server(s), facilitate communications between clients) employ an internet protocol to

establish the one or more web portals. (see Savage paragraph [0108], lines 5-9;

paragraph [0095], lines 1-7: RTP, UDP/IP (i.e. Internet protocols) utilized; paragraph

[0040], lines 3-6: Internet communications between servers and clients)

Regarding Claim 8, Savage discloses the apparatus of claim 1, wherein the one or

more application server components allow the one or more telephony devices to interact

through employment of the one or more data streams. (see Savage paragraph [0019],

lines 8-15; paragraph [0089], lines 4-6: data streams (i.e. incoming and outgoing)

utilized for communications between clients, controlled by servers)

Regarding Claim 9, Savage discloses the apparatus of claim 8,

  a) wherein the one or more application server components employ the one or more

     data streams to transfer data related to one or more interactions available to the

     one or more telephony devices; (see Savage paragraph [0019], lines 8-15;

     paragraph [0086], lines 1-6: server(s) control communications between multiple

     clients (i.e. telephony devices)) <u>and</u>

  b) wherein the one or more application server components provide the one or more

     interactions to the one or more telephony devices for employment by the one or

     more telephony devices to interact with one or more of the one or more

     telephony devices. (see Savage paragraph [0019], lines 8-15; paragraph [0086],

lines 1-6: server(s) control the communications (i.e. interactions) between

multiple clients (i.e. telephony devices))

Regarding Claim 10, Savage discloses the apparatus of claim 9, wherein the one or

more application server components associate the call with the one or more interactions

available, <u>and</u> wherein the one or more application server components provide the one

or more interactions available that allow the telephony devices to initiate the one or

more user inputs from the one or more available interactions. (see Savage paragraph

[0022], lines 1-11; paragraph [0020], lines 8-16: server (i.e. dispatch server) initiates

communications for clients (i.e. telephony device))

Regarding Claim 11, Savage discloses the apparatus of claim 8,

a) wherein the one or more application server components comprise a first

application server component and a second application server component, <u>and</u>

wherein the one or more telephony devices comprise a first telephony device and

a second telephony device; (see Savage Figure 1; paragraph [0017], lines 1-6:

multiple server (i.e. application server), multiple clients (i.e. telephony devices)):

<u>and</u>

b) wherein the first application server component provides one or more interactions

available to the first telephony device that allow the first telephony device to

initiate a user input from the one or more interactions available; (see Savage

paragraph [0017], lines 8-14; paragraph [0023], lines 1-6: user interface to initiate

communications, conference) and

c) wherein in response to the user input from the first telephony device to the first

application server component, the first application server component transmits

the user input to the second application server component through employment

of the one or more data streams; (see Savage paragraph [0019], lines 8-15;

paragraph [0089], lines 4-6: data streams utilized for communications between

clients (i.e. telephony devices)) and

d) wherein the second application server component provides the user input to the

second telephony device. (see Savage paragraph [0019], lines 8-15; paragraph

[0089], lines 1-6: server(s) control communications for clients (i.e. first, second

telephony devices))

Regarding Claim 12, Savage discloses the apparatus of claim 11,

a) wherein the user input comprises a first user input of the one or more user inputs,

and wherein the second telephony device initiates a second user input to the first

telephony device; (see Savage paragraph [0019], lines 8-15; paragraph [0089],

lines 1-8; paragraph [0052], lines 1-7: first, second clients (i.e. first, second

telephony devices) in communications, conference capability, multiple clients (i.e.

telephony devices) in communications) and

b) wherein the first application server component and the second application server

component cooperate to transmit the second user input to the first application

server component through employment of the one or more data streams; (see

Savage paragraph [0048], lines 3-6: dispatch server, media server communicate

for authentication, authentication server validates request and transmits request

to dispatch server; paragraph [0052], lines 1-7: multiple clients (i.e. telephony

devices) in communications)

c) wherein the first application server component provides the second user input to

the first telephony device. (see Savage paragraph [0019], lines 8-15; paragraph

[0089], lines 1-6: data stream, input/response for clients (i.e. telephony devices),

multiple clients (i.e. telephony devices) in communications)

Regarding Claim 13, Savage discloses the apparatus of claim 2,

a) wherein the one or more user inputs comprise one or more sales interactions

(see Savage paragraph [0056], lines 8-14: sales function interaction), wherein

the one or more telephony devices comprise a first telephony device and a

second telephony device; (see Savage Figure 1; paragraph [0011], lines 1-4:

multiple clients (i.e. first, second telephony devices))

b) wherein the one or more application server components provide the one or more

sales interactions (see Savage paragraph [0056], lines 8-14: sales function

interaction) that allow the first telephony device to initiate one or more of the one

or more sales interactions to the second telephony device; (see Savage

paragraph [0019], lines 8-15; paragraph [0089], lines 4-6: information exchanged

between multiple clients (i.e. first, second)) <u>and</u>

c) wherein the one or more application server components cooperate to transmit the one or more of the one or more sales interactions (see Savage paragraph [0056], lines 8-14: sales function interaction) from the first telephony device to the second telephony device through employment of the one or more data streams. (see Savage paragraph [0019], lines 8-15; paragraph [0089], lines 1-6: data streams (i.e. incoming, outgoing) transmit information between clients (i.e. telephony devices))

Regarding Claim 14, Savage discloses the apparatus of claim 13,

a) wherein the one or more sales interactions (see Savage paragraph [0056], lines 8-14: sales function interaction) comprise a request for authorization, <u>and</u> wherein the one or more application server components provide the one or more sales interactions that allow the first telephony device to initiate the request for authorization to the second telephony device; (see Savage paragraph [0048], lines 1-13; paragraph [0073], lines 1-9: authentication, validation request for client) <u>and</u>

b) wherein in response to the request for authorization from the first telephony device to the first application server component, the first application server component transmits the request for authorization to the second application server component through employment of the one or more data streams; (see Savage paragraph [0048], lines 3-6: servers communicate for authentication,

authentication server validates request and transmits request to dispatch server)

and

c) wherein the second application server component provides the request for

authorization to the second telephony device that allows the second telephony

device to initiate a response to the request for authorization. (see Savage

paragraph [0048], lines 1-13; paragraph [0073], lines 1-9: authentication,

validation request of clients (i.e. first, second telephony devices))

Regarding Claim 17, Savage discloses a method, comprising the step of:

1) transmitting one or more user inputs to one or more telephony devices on a call

through employment of one or more data streams associated with the call. (see

Savage paragraph [0017], lines 1-6: multiple clients (i.e. telephony devices);

paragraph [0019], lines 8-15; paragraph [0089], lines 4-6: data stream (i.e. user

inputs/responses) transmitted between clients)

2) wherein the one or more application server components establish the one or more

data streams via employment of

a) one or more data stream request messages (see Savage paragraph [0017],

lines 8-14: client requests (i.e. user inputs); paragraph [0049],) and

b) one or more identifiers which distinguish calls associated with one or more

application server components (see Savage paragraph [0091], lines 6-15:

stream, identifier: paragraph [0050] as identifier within parameter)

Regarding Claim 18, Savage discloses the method of claim 17, wherein the step of

transmitting the one or more user inputs the one or more telephony devices on the call

through employment of the one or more data streams associated with the call

comprises the steps of:

a) establishing one or more web portals with the one or more telephony devices;

(see Savage paragraph [0011], lines 1-9: web portal, communications with

multiple clients (i.e. telephony devices))

b) initiating the one or more user inputs through employment of the one or more

web portals; (see Savage paragraph [0011], lines 1-9: web portals, real-time

communications between portal and clients (i.e. telephony devices); paragraph

[0023], lines 1-6: user interface, user inputs) and

c) transmitting the one or more user inputs through employment of the one or more

data streams. (see Savage paragraph [0019], lines 8-15; paragraph [0089], lines

1-6: data stream transmissions for client (i.e. user) inputs/responses)

Regarding Claim 19, Savage discloses the method of claim 18, wherein the one or

more telephony devices comprise a first telephony device and a second telephony

device, <u>and</u> wherein the step of transmitting the one or more user inputs through

employment of the one or more data streams comprises the steps of:

a) associating the one or more web portals with the call; (see Savage paragraph

[0011], lines 1-9: web portal; paragraph [0040], lines 3-6: communications

network; paragraph [0051], lines 5-26: call setup/communications capabilities)

and

b) associating the one or more web portals with the one or more data streams. (see

Savage paragraph [0011], lines 1-9: portals communications; paragraph [0089],

lines 4-6; paragraph [0019], lines 8-15: data stream (i.e. incoming, outgoing),

communications between clients (i.e. telephony devices))

Regarding Claim 20, Savage discloses <u>a computer-readable medium having computer</u>

<u>executable instructions for performing steps</u>, comprising:

1) means in the one or more media for transmitting one or more user inputs to one

or more telephony devices on a call through employment of one or more data

streams associated with the call. (see Savage paragraph [0131], lines 1-8:

software, implementation means)

2) <u>wherein the one or more application server components establish the one or</u>

<u>more data streams via employment of</u>

a) <u>one or more data stream request messages</u> (see Savage paragraph [0017],

lines 8-14: client requests (i.e. user inputs); paragraph [0049],) <u>and</u>

b) <u>one or more identifiers which distinguish calls associated with one or more</u>

<u>application server components</u> (see Savage paragraph [0091], lines 6-

15: stream, identifier: paragraph [0050] as identifier within parameter)

Regarding Claim 21 (new), Savage discloses the apparatus of claim1, wherein the one

or more identifiers comprise a network address, a port number, and an identification tag.

(see Savage paragraph [0050])

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which the subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims **7, 15, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Savage** in view of **Cloutier et al.** (US PGPUB No. **20040015405**).

Regarding Claim 7, Savage discloses the apparatus of claim 6,

further comprising wherein the internet protocol, wherein the one or more

application server components employ communications to establish the one or more

web portals. (see Savage paragraph [0040], lines 3-6: Internet communications;

paragraph [0011], lines 4-9; paragraph [0005], lines 1-5: web portals interface)

Savage does not specifically disclose the usage of HTTP communications protocol.

However, Cloutier discloses:

a) wherein the internet protocol comprises a HyperText Transport Protocol (HTTP);

   (see Cloutier paragraph [0016], lines 5-11: telephony services; paragraph [0058],

lines 5-12: web portal capabilities; paragraph [0055], lines 5-9:, HTTP protocol,

HTML language); and

b) wherein employ the HyperText Transport Protocol. (see Cloutier paragraph

[0016], lines 5-11: telephony services; paragraph [0058], lines 5-12: web portal

capabilities; paragraph [0055], lines 5-9:, HTTP protocol, HTML language)

It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to the HTTP protocol and HTML

language. One of ordinary skill in the art would have been motivated to employ the

teachings of Cloutier in order to enable a more efficient service provider selection

process by providing a single interface to evaluate broadband service providers.

(see Cloutier paragraph [0092], lines 10-16: " ... *Current HFC open access systems*

do not allow for an end-user to select among multiple SPs via a single user interface.

This invention improves the SP selection process, and thus contributes to more

efficient service selection and activation by enabling the end-user to access a single

interface, which can be used to evaluate and select a desired SP for broadband

services. ... ")

Regarding Claim 15, Savage discloses the apparatus of claim 2,

a) wherein the one or more user inputs comprise one or more support interactions,

and wherein the one or more telephony devices comprise a first telephony device

and a second telephony device; (see Savage paragraph [0017], lines 1-6:

multiple clients (i.e. first, second telephony devices); paragraph [0019], lines 8-

15; paragraph [0089], lines 1-6: communications between clients (i.e. first,

second telephony devices)) and

b) wherein the one or more application server components provide the one or more

support interactions that allow the first telephony device to initiate one or more of

the one or more interactions to the second telephony device; (see Savage

paragraph [0019], lines 8-15; paragraph [0089], lines 1-6: communications

between clients; paragraph [0052], lines 1-7: multiple client communications,

conference) and

c) wherein the one or more application server components cooperate to transmit the

one or more of the one or more interactions to the second telephony device

through employment of the one or more data streams. (see Savage paragraph

[0019], lines 8-15; paragraph [0089], lines 1-6: communications between clients;

paragraph [0052], lines 1-7: multiple client communications, conference)

Savage does not specifically disclose one or more support interactions.

However, Cloutier discloses wherein one or more support interactions. (see

Cloutier paragraph [0016], lines 5-11: telephony services; paragraph [0058], lines

5-12: web portal capabilities; paragraph [0026], lines 1-4; paragraph [0046], lines

10-23: support services interactions)

It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to utilize support interaction. One of

ordinary skill in the art would have been motivated to employ the teachings of

Cloutier in order to enable a more efficient service provider selection process by

providing a single interface to evaluate broadband service providers. (see Cloutier paragraph [0092], lines 10-16)

Regarding Claim 16, Savage discloses the apparatus of claim 15,

a) wherein the one or more support interactions comprise a service, <u>and</u> wherein the one or more application server components provide the one or more interactions to allow a user of the first telephony device to initiate the service to the second telephony device; (see Savage paragraph [0019], lines 8-15; paragraph [0089], lines 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) <u>and</u>

b) wherein in response to the service from the first telephony device to the one or more application server components, the one or more application server components transmit the service to the second telephony device through employment of the one or more data streams; (see Savage paragraph [0019], lines 8-15; paragraph [0089], lines 1-6: communications, interactions between first and second client (i.e. first, second telephony devices)) <u>and</u>

c) wherein the one or more application server components provide the service to the second telephony device that allows the first telephony device to interact with the second telephony device. (see Savage paragraph [0019], lines 8-15; paragraph [0089], lines 1-6; paragraph [0052], lines 1-7: communications, interaction between first and second client (i.e. first, second telephony devices))

Savage does not specifically disclose diagnostic service interactions.

However, Cloutier discloses wherein diagnostic service. (see Cloutier paragraph

[0016], lines 5-11: telephony services; paragraph [0058], lines 5-12: web portal

capabilities; paragraph [0047], lines 4-10; paragraph [0062], lines 1-9:

maintenance (i.e. diagnostic) service interactions)

It would have been obvious to one of ordinary skill in the art to modify Savage

as taught by Cloutier to enable the capability to utilize diagnostic service

interactions. One of ordinary skill in the art would have been motivated to employ

the teachings of Cloutier in order to enable a more efficient service provider

selection process by providing a single interface to evaluate broadband service

providers. (see Cloutier paragraph [0092], lines 10-16)

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kyung H. Shin whose telephone number is (571) 272-

3920. The examiner can normally be reached on 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

K H S

Kyung H Shin
Patent Examiner
Art Unit 2143

***

KHS
June 1, 2007